



THE NATIONAL COMMISSION
ON CIVIC RENEWAL

Working Paper #6

AMERICAN CIVIL SOCIETY TALK

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This essay is offered as a work in progress. The author is a member of the Working Group on Civil Society, a panel of historians, philosophers, sociologists, and political scientists convened by the National Commission on Civic Renewal to survey and contribute to the emerging scholarship on civil society. The opinions expressed here are not necessarily those of the National Commission, the Pew Charitable Trusts, or the Institute for Philosophy and Public Policy.

AMERICAN CIVIL SOCIETY TALK

Jean L. Cohen

The ubiquity with which the concept "civil society" is evoked in the U.S. these days as the source of trust, the key to social integration and the basis of strong democracy is truly striking. After lagging behind international discussions, American interest in civil society has suddenly exploded.¹ Indeed a particular conception of civil society as "group association" is now hegemonic at least within the most influential recent American political science literature on the topic and in the rhetoric of an ever increasing number of politicians on all sides of the political spectrum.²

The context for the revived interest in civil society today is the crisis of the welfare state and not, as it was in the fifties, the fear of a totalitarian state.³ Now it is dissatisfaction with the social and cultural effects of successful, normal and global, rather than failed, modernization that motivates civil society talk. The renewed interest in the social cement of trust is clearly related to the sense that models of social integration, civic engagement and associational life which were once taken for granted are being strained by new forms of social diversity, institutional transformation, technical, economic and cultural change.

Apparently, neither the centralized state nor the magic of the marketplace can offer effective, liberal, and democratic solutions to the problems of "post-industrial"

civil societies in a context of globalization. Statist correctives are said to threaten freedom, but social injustice is exacerbated when the state completely abandons the field to market forces: both "reforms" can be socially disintegrative, oppressive, and unjust. Given the political impossibility of continuing the welfare state model in the old way and the undesirability of returning to market magic, it is understandable that the discourse of civil society has become so widespread and so contentious. Welfare state legality has shifted emphasis toward the administration and the courts and triggered calls for revitalizing and protecting both democracy and community.

"Civil society" has thus become a slogan for the 1990s because it appears to offer an alternative center for political and economic initiatives. Hence the revival of interest in the cultural conditions of democracy and in the informal modes of socialization that allegedly foster civic virtue and the moral "habits of the heart" necessary to make democracy work. But the idealized, one-dimensional version of the concept that is being revived is hardly up to the task, in my view.

This paper focuses on one of the most prominent and influential recent interventions in the American civil society debate: the neo-republican stance of Robert Putnam and his school.⁴ I will demonstrate that "civil society" in this approach has become so reduced that the normative thrust of the concept, particularly its relevance to democracy, is being obscured. The most glaring defect is the omission of the crucial category of the public sphere from Putnam's and most others' conceptualizations. Following Putnam, nearly everyone in the current discussion has come to equate civil society with traditional forms of voluntary association (including

"the" family), as already indicated. And nearly everyone assumes that the "intermediary bodies" created by voluntary association and crucial to social integration are in decline in contemporary America -- the debate is over the causes of the decline and what to do about it.

I contend that this conceptualization of civil society is theoretically impoverished and politically suspect. When combined with the discourse of civic and moral decline, it undermines democracy instead of making it work, threatens personal liberty instead of enhancing it, and blocks social justice and social solidarity instead of furthering them. Unless this model is corrected, the current revival of the discourse of civil society in the U.S. will play into the hands of social conservatives who aim to retraditionalize civic life and to substitute local "volunteerism" for the public services and redistributive efforts of the welfare state, as if these are the only options we have.

The conservatives pretend that we can have a vital, well-integrated, and just civil society without states guaranteeing that universalistic egalitarian principles inform social policy regardless of which social institution or level of government carries it out. If civil society discourse is left in this form, we will not be able to articulate, much less resolve the critical problems facing democratic polities in the coming century. My claim is that it matters very much, both politically and theoretically, which concept of civil society we use and seek to foster.

I. The Concept of Civil Society

In contrast to the narrow view of civil society predominant in contemporary American discussions, nineteenth-century sources offer a rich and multi-levelled conception. Civil society was understood as a sphere of social interaction characterized by forms of plurality (groups with different worldviews and interests), publicity (civil publics and the media of communication: at that time, print), privacy (a domain of individual self-development and ethical choice) and legality (the rule of law and sets of subjective rights protecting individuality, plurality and publicity and institutionalizing social differentiation generally).⁵

Twentieth-century European analysts of civil society added three crucial components to this understanding. The first, stressed by Gramsci, was an emphasis on the cultural and symbolic dimension of civil society and the role it plays in the generation of consent (hegemony) and hence, in integrating society.⁶ Gramsci was the first and most important Marxist to abandon the economistic reduction of civil society to political economy and to insist on its autonomy and distinctiveness from the state (political society). While his conception is presented in a notoriously confusing terminology, the idea that runs through all his attempts at a definition is that the reproduction of the existing system occurs through a combination of two practices: hegemony and domination, consent and coercion. These operate through two different sets of institutional frameworks: the cultural and associational forms of civil society, and the legal, bureaucratic, police, and military apparatus of the state. Indeed his most important category, hegemony -- referring to the dominant action-

orienting symbols, beliefs, values, identifications, and social constructions of reality – is meaningless without its corollary concept, civil society.

Thus Gramsci's key contribution to the conceptualization of civil society was his emphasis on its politically relevant cultural dimension: civil society is construed both as a symbolic field and as a network of institutions and practices that are the locus for the formation of values, action-orienting norms, meanings and collective identities. But the cultural dimension of civil society is not given or natural; rather, it is a site of social contestation: its associations and networks are a terrain to be struggled over, and an arena wherein collective identities, ethical values, and alliances are forged. Indeed, competing conceptions of civil society are deployed in a continual struggle either to maintain cultural hegemony by dominant groups or for counter-hegemony on the part of subordinate collective actors. Accordingly, no conception of civil society, including Gramsci's own, is neutral but is always part of a project to shape the social relations, cultural forms and modes of thought of society. Gramsci, in short, has shown us that the discourses and culture of civil society are politically relevant and multiple.

Both the second and third crucial twentieth-century contributions by Europeans to the theory of civil society take up the threads of Gramsci's analysis while dispensing with his exclusive focus on class hegemony and with his rather functionalist and monistic approach to civil society's cultural and associational institutions as the expression of one or another class' hegemony. In short, they retain the importance of the cultural and dynamic aspects of civil society stressed by

Gramsci while insisting that the abstract norms and organizational principles of modern civil society -- from the idea of rights, to the principles of autonomous association and free horizontal communication (publicity) -- have intrinsic value and are not simply functional to the reproduction of capitalist or any other hegemony. The structures of civil society are what allow for the contestation over hegemony to occur.

One major contribution on this terrain, made by Touraine, Melucci, and others, was the emphasis on the dynamic, creative and contestatory side of civil society -- informal networks, initiatives and social movements as distinct from the more formalized voluntary associations and institutions and from class organizations (parties, unions).⁷ Recognition of this dimension allows one to articulate and shift between two perspectives: civil society as dynamic, innovative source for thematizing new concerns, articulating new projects, generating new values and new collective identities; and civil society as institutionalized civic autonomy. It also allows one to see how in its dynamic capacity (collective action), the institutional shape of civil society as well as the polity can be targeted in struggles over democratization.

The other key contribution I have in mind is the communicative, deliberative conception of the public sphere developed primarily by Jurgen Habermas and his followers.⁸ The category of the public sphere was already present in eighteenth- and nineteenth-century understandings of civil society, but its normative weight and its role in mediating between the particular and the general were not clarified until relatively recently.

In civil publics people can discuss matters of mutual concern as peers, and learn about facts, events, and the opinions, interests, and perspectives of others. Discourse on values, norms, laws, and policies generates politically relevant public opinion. Moreover, through its generalized media of communication, the public sphere can mediate among the myriad mini-publics that emerge within and across associations, movements, religious organizations, clubs, local organizations of concerned citizens, and simple socializing. There are of course differentiated and institutionalized civil and political publics, weak and strong.⁹ But on the normative idea of the public sphere, discursively generated public opinion is meant to influence the debates within political and legal publics proper (legislatures, constitutional courts) and to bring under informal control the actions and decisions of rulers and lawmakers (the principle of responsiveness).

The concept of the public sphere thus brings together the normative and the empirical, the universal and the particular.¹⁰ It is, in my view, the normative core of the idea of civil society and the heart of any conception of democracy. Indeed, the political legitimacy of modern constitutional democracies rests on the principle that action-orienting norms, practices, policies, and claims to authority can be contested by citizens and must be discursively redeemed. As Claus Offe has recently argued, unconstrained critical discourse in the public sphere (secured by rights) is the form of institutionalized "distrust" that is crucial to maintaining trust -- belief in legitimacy -- in constitutional democracies.

I would defend an even stronger claim: the deliberative genesis and justification of public policy in political and civil public spaces respectively are *constitutive* of the modern form of democracy. I will elaborate more on this aspect of civil society further on. For now, suffice it to say that without the concept of the public sphere, the discourse of civil society will remain hopelessly one-sided and analytically useless because it will not be able to explicate the complex articulation between social and political institutions.

As already indicated, voluntary association is an important aspect of a vital civil society. But focusing exclusively on this dimension is impoverishing, to say the least. So is the degeneration of "civil society talk" into rhetoric about the decline of morals and civic virtue.¹¹ It is also backward-looking and politically dangerous. Minus the public sphere, civil society talk all too easily lends itself to projects that have little to do with democratization.

II. Voluntary Association and Workable Democracy

Robert Putnam's claim in his extraordinarily influential book *Making Democracy Work* that democratic government is more responsive and effective when it faces a vigorous civil society is, of course, one that I embrace. He argues convincingly that horizontally organized voluntary associations that cut across social cleavages are more likely to nourish wider social cooperation, to reinforce norms of reciprocity, and thus to "make democracy work" than hierarchical segmental organizations or clientelistic structures.¹² A civic culture of "generalized trust" and social solidarity, peopled by

citizens willing and able to cooperate in joint ventures, *is* an important societal prerequisite of a vital democracy.

Nevertheless, Putnam's approach is unsatisfactory, in part for methodological reasons. He reduces civil society to the dimension of voluntary association and construes the latter as the *sole* source of what he calls social capital. The feature of the social context that matters most to the performance of democratic institutions, on Putnam's analysis, is the presence or absence of a civic culture. The indicators of civicness that he cites are similar to those mentioned in the civic culture studies of the 1950s: the number of voluntary associations, the incidence of newspaper readership (a sign of interest in and being informed about community affairs), electoral turnout, and a range of civic attitudes including law-abidingness, interpersonal trust and general cooperativeness. So far so good.

Indeed, Putnam's historical chapters provide a rich description of the emergence of civicness and what it needed to take root, at least in the north of Italy. Here, in addition to the dense network of associational life and the oaths of mutual assistance sworn by members of associations in the early Communes, Putnam mentions the importance of institutions and institutionalized norms, such as the professionalization of public administration and credible state impartiality in the enforcement of laws, for the maintenance of social trust. Strong and autonomous courts, reliable administrative state structures, and *confidence* that the administration of justice, enforcement of contracts, and legislation would be impartial seemed to be a *sine qua non* for the networks of civic associations to succeed in generating solidarity outside the bonds of

kinship.¹³ Thus on the descriptive level, at least, the charge of reductionism seems inappropriate.

The important concluding theoretical chapter of the book, "Social Capital and Institutional Success," however, is open to such a charge. For there, history, tradition, culture, normative orientations, and their transmission over time are analyzed in terms of the concept of inherited "social capital" -- defined as the social stock of trust, norms and networks that facilitate coordinated actions -- whereas the *source* of social capital and of its generalization is narrowed down to involvement in secondary associations. We are left with a weak theoretical framework and an unconvincing analysis. Unfortunately, this framework is greatly influencing the American civil society debate.

The crucial chapter on social capital asks how "virtuous circles" generate, generalize, transmit traditions of civic engagement through centuries of radical social, economic, and political change. Putnam dismisses the classic Hobbesian solution, "third party enforcement." If cooperation for the common good requires trust in everyone's willingness to contribute equally, a "third party enforcer" like the state should enable subjects to do what they cannot do on their own, namely, trust one another. But apparently the use of force is expensive, and impartial enforcement is itself a public good subject to the same dilemma it aims to solve: what power could ensure that the sovereign does not defect? Nor, as the new institutionalists suggest, will the best institutional design ensure impartiality even if it entails the participation of the affected parties in defining the rules, the subjection of violators to sanctions,

and low-cost mechanisms for resolving conflicts. For the same dilemma apparently obtains vis-à-vis the institutionalist understanding of the state as impartial lawgiver that confronted the state as Hobbesian sovereign, namely the problem of infinite regress: trust and generalized reciprocity are presupposed for the establishment of the institutions in the first place.

Putnam accordingly turns away from state structures to "soft" sociocultural solutions. Dense networks of civic involvement are both a sign and a source of social capital. Participating in horizontal voluntary associations lubricates cooperation and generates social trust, thus allowing dilemmas of collective action to be resolved.¹⁴ Apparently such participation produces "moral resources" which can be transmitted over generations (inherited) and whose supply increases through use -- stocks of social capital tend to be self-reinforcing and cumulative. Inheritance of a stock of social capital renders voluntary cooperation in a community easier and, thus, makes democracy work.¹⁵

Although Putnam does say that trust has two sources -- norms of reciprocity and networks of civic engagement -- the first is primarily a function of the second.¹⁶ Dense networks of associations entail repeated exchanges of what he calls "short-term altruism" and "long-term self-interest" -- I help you out now in the expectation that you will help me out in the future. These rational exchanges, and the direct experience of reliability, repeated over a period of time, encourage the development of a norm of generalized reciprocity.

That voluntary association is *evidence* of social cooperation and trust is both undeniable and almost tautological, but why is it construed as the only significant source of social capital? Why are democratic political institutions, the public sphere, and law absent from the theoretical analysis of how social trust is developed? The answer is obvious: once the state is defined and dismissed as a third-party enforcer, once law is turned into sanctions that provide for a certain level of social order but no more, once institutions are dismissed as irrelevant to social trust because their genesis already presupposes social trust, and once a vital civil society is reduced to the presence or absence of intermediate voluntary associations, no other source of social trust is conceivable.

As others have already pointed out, the theory has many flaws.¹⁷ The problem as I see it is not that the analysis is society-centered but that it operates with an overly narrow conception of civil society and a method that, in turn, leads the analyst to screen out the role of law and political institutions in fostering civiness as well as the reciprocal relationship of influence of civil publics on the state and on civil institutions. Indeed, the failure to include publics and interstitial networks of communication in the conceptualization of civil society is one of the main drawbacks of the theory as a theory of democracy. I will turn to these issues further on. Let me first dwell on two difficulties internal as it were to the conceptual and methodological framework used by Putnam. Since this framework is being widely adopted, it is worthwhile to spend a bit more time on it.

It is unclear just what is doing the work in the analysis even on its own terms. Apparently participation in *horizontally* organized secondary associations generates norms of reciprocity and social trust. But we are never really told why only horizontal as distinct from vertical associative networks produce "social capital." Or is it that horizontal association produces "good" as opposed to "bad" social capital, enabling say, associated bird-watchers to develop democratic competence, invest their accumulated social skills and social orientations in other voluntary collective endeavors, and to demand good government, while members of the Mafia or the Catholic Church, with their bad social capital, cannot, as it were, reinvest it elsewhere? Yet certainly Mafia and Church members belong to dense networks of interpersonal communication, formal and informal, although to be sure, the linkages among the unequal agents are vertical. Putnam seems to be making a more general point: societies characterized by vertical, hierarchical relations of dependency foster defection, distrust, shirking, exploitation, and isolation regardless of the density of their associational networks.¹⁸ But why?

Apparently a vertical network cannot sustain social trust and cooperation because flows of information are less reliable -- and, more important, because sanctions that support norms of reciprocity against the threat of opportunism are less likely to be imposed upwards and less likely to be acceded to if imposed. Linkages between agents of equivalent status and power are what generate (good) social capital; linkages of unequal agents in asymmetric relations of hierarchy and dependence, do not.

But this is not a very satisfactory explanation -- too much is left untheorized. Do the aims and substantive values of the association play any role here? Would it matter for the impact on civiness that a horizontally organized association of peers has political aims that are either illiberal or anti-democratic? What if the group has an instrumental attitude to its internal organizational structure? Or conversely, would it make any difference if an organization that is hierarchically structured and internally authoritarian has democratic and/or liberal aims?

Putnam is aware of these issues. In a footnote he states that not all associations of the like-minded are committed to democratic goals nor organized in an egalitarian fashion. We are accordingly urged to consider other civic virtues, such as tolerance, when we try to weigh the consequences of any particular organization for democratic governance.¹⁹ Implicit in this statement is an argument for "congruence" between the structure and goals of civil and political-democratic institutions: both, it seems, should be organized in an egalitarian fashion and embrace egalitarian democratic principles.

Yet how odd to leave such a crucial and hotly debated issue to a footnote and to implicit rather than explicit argumentation!²⁰ Much too little is said about why the equal status of members matters vis-à-vis the creation of social capital. I suspect that the issue is handled this way because the most obvious argument cannot be made without considerably complicating the theoretical framework: namely that perhaps what develops interactive abilities and *democratic competence* within an association is participation as an equal in the exchange of opinions and in collective *deliberations* over associational affairs: i.e. *voice* in the association's internal *public sphere*.

Hierarchical, authoritarian associations like the Mafia can easily generate skill in strategic action; the Catholic Church can generate loyalty. But I suspect that only associations with internal publics structured by the relevant norms of discourse can develop the communicative competence and interactive abilities important to democracy. I agree with Nancy Rosenblum that the plurality and multiplicity of civil associations with guaranteed exit possibilities do indeed have "moral effects" vis-à-vis fostering and maintaining a liberal, tolerant and civil society. I also support her argument against state-induced full congruence between the structure of civil associations and political institutions: The danger of paternalism and "gleichschaltung" is all too obvious.

But I am also convinced that democratic as distinct from liberal competence cannot be learned in hierarchical settings. Moreover, I suspect that the presence of democratically structured associations is what renders benign the effects of membership in hierarchial, authoritarian groupings on the overall societal community. If *all* the myriad associations of civil society were structured like the Mafia I doubt that either democratic competence or even liberal tolerance among citizens would be widespread. I would thus like to maintain that voice, over and above loyalty (altruism) or chances to exit, is what matters most here.²¹

Without the normative concept of the deliberative public sphere understood as a core principle of civil society, however, such arguments cannot be made, much less tested. Unfortunately, the concept of social capital, as deployed by Putnam, steers us away from the dimension of voice, placing too much emphasis, in my view, on the

dimensions of loyalty, trust, and virtue. Consequently, the advantage of horizontal over vertical structures remains unclarified.

This brings me to the second set of "internal" difficulties deriving from the exclusive focus on voluntary association and the use of the concept of social capital. Curiously, Putnam fails to say just what generalizes the social trust produced within voluntary associations. How does inter-group trust become trust of strangers outside the group? Why does the willingness to act together for mutual benefit in a small group like a choral society translate into willingness to act for the common good or to become politically engaged at all? Indeed, *is the interpersonal trust generated in face-to-face interactions even the same thing as "generalized trust"*? I don't think so.

Let me be clear here. I don't doubt that trust lubricates cooperation, or, more important, that general abstract *norms* of reciprocity allow the reconciliation of self-interest and solidarity. I am not convinced, however, that the trust that emerges within particular associations is sufficient for producing "generalized trust" or, in the language I prefer, belief in the legitimacy of institutionalized norms, acceptance of the universalistic principles of reciprocity and society-wide social solidarity, and confidence that these will orient the action both of powerful elites and average citizens. What is very odd is that Putnam offers no mechanism for explaining how these emerge.

I believe that the use made of the concept of social capital is at fault. Obscuring more than it illuminates, this concept allows one to avoid the difficult task of showing that the particular trust built up between specific individuals in one context

can be transferred without further ado to other contexts, to strangers, or to society at large. In short, prior to the issue of what generalizes social capital is the question of whether "inherited social capital" is the right concept to use for *six* rather different things: interpersonal trust, social solidarity, general norms of reciprocity, belief in the legitimacy of institutionalized norms, confidence that these will motivate the action of institutional actors and ordinary citizens (social solidarity), and the transmission of cultural traditions, patterns, and values.

The metaphor of social "capital" allows the theorist to finesse the generalization issue and to blur these distinctions by suggesting a false analogy between direct interpersonal social relations and economic exchanges on the market. Capital accumulated in one context can of course be invested in another place: it can easily be saved, inherited, and exchanged regardless of its particular form because there is a universal equivalent for it -- money -- and an institutional framework for the exchange -- the market economy. As the medium of exchange and the universal equivalent for all forms of wealth, money solves the generalization issue. Impersonal contractual market relations are possible because money in a market system substitutes for direct communications in the coordination and integration of actions.²² Of course, even the market presupposes *confidence* that the value of money is backed up by the banking system and that contractual obligations are recognized and enforced by states.

Interpersonal trust, on the other hand, is by definition specific and contextual -- one trusts *particular* people because of repeated interactions with them in specific contexts in which reciprocity is directly experienced. Interpersonal trust generated in

face-to-face relationships is not an instance of a more general impersonal phenomenon. Nor can it simply be transferred to others or to other contexts. Indeed, it is entirely possible that without other mechanisms for the generalization of trust, participation in associations and membership in social networks could foster particularism, localism, intolerance, exclusion, and generalized mistrust of outsiders, of the law, and of government. Without other mediations, there is no reason to expect that the forms of reciprocity or trust generated within small groups would extend beyond the group, or, for that matter, that group demands would be anything other than particularistic.

The argument that repeated interaction games within small-scale face-to-face groups of strategic calculators can generate universal norms of law-abidingness or reciprocity is unconvincing. Repeated interaction within a group may help generate local norms of reciprocity between members, because each learns gradually to expect that the other will cooperate.²³ Interpersonal trust involves not only the experience of reliability of the other but also the moral obligation of the trusted person to honor the trust bestowed upon her and the mutual expectation that each understands this principle and will be motivated internally to act accordingly.

For interpersonal trust to turn into generalized reciprocity, or to foster general law-abidingness, however, the universalistic normative expectation itself would have to be presupposed *as a norm* in a wide variety of contexts. The *obligatoriness* of reciprocity and law-abidingness, and the motivation to act accordingly, requires something more than the repetition of sets of strategic interactions. In short, for impersonal, general trust of strangers to be conceivable and warranted, other factors

would have to mediate.²⁴ The principle of reciprocity would have to be institutionalized on the one side, and the aspiration/motivation to be trustworthy would have to become part of one's identity, as it were, on the other. Thus the analysis does not escape the problem of infinite regress.

In order to see what role institutions play here, one would have to understand law and the state not just as a third-party enforcer. At the very least the two-sidedness of law -- law as sanction *and* law as institutionalized cultural values, norms, rules and rights -- would have to be theorized. Only then would it be possible to reflect on the role of law and rights in substituting *universalistic* norms as functional equivalents for personalized trust; and substituting confidence in abstract institutions (backed up by sanctions) and belief in their legitimacy, purpose, and particular norms for direct interpersonal ties. For example, legal norms of procedural fairness, impartiality, and justice that give structure to state and some civil institutions, limit favoritism and arbitrariness, and protect merit are the *sine qua non* for society-wide "general trust," at least in a modern social structure.²⁵ So is the expectation that institutional actors will live up to and enforce the norms of the institutional setting in which they interact. Rights, on the other hand, ensure that trust is warranted insofar as they provide individuals the opportunity to demand that violations of legitimate reciprocal expectations be sanctioned.

It makes little sense to use the category of generalized trust to describe one's attitude toward law or government. One can only trust people because only people can fulfill obligations. But institutions (legal and other) can provide functional

equivalents for interpersonal trust in impersonal settings involving interactions with strangers, because they, as it were, institutionalize action-orienting norms and the expectation that these will be honored.

What Durkheim once called "professional ethics" does indeed have an effect on "civic morals." If one knows one can expect impartiality from a judge, care and concern from a doctor, protection from police, objectivity and veracity from a journalist, concern for the common good from legislators and so on, then one can develop confidence (instead of cynicism) that shared institutionalized norms and cultural values will orient the action of powerful others. But confidence of this sort also presupposes public spaces in which the validity of such norms and the fairness of procedures can be challenged, revised, redeemed or reinforced through critique.²⁶

As already indicated, the presence of public spaces within and across associations, and the existence of society-wide uninstitutionalized publics that elaborate and test the generalizability of norms in which all citizens can participate, is at the core of any conception of a democratic civil society.

The point here is that Putnam's narrow theoretical framework prevents him from articulating these complex interrelations. Nevertheless, even with its flaws, *Making Democracy Work* was open to a more sophisticated interpretation. After all, the book traces the effects of institutional reform in Italy: the devolution of important powers from a centralized state to newly created regional political public spaces, closer to the populace and open to their influence. Moreover, many of the vital elements of a richer society-centered analysis were at least mentioned in the text.

In claiming that dense networks of civic engagement generate greater trust, participation and stronger democracy, Putnam implicitly relies on the concept of the public sphere even if he lacks the categorial framework to account for the interstitial, transactional, open-ended flows of communication that transcend the associational enclaves in which they originate.²⁷ Although Putnam misinterprets his own data, his research suggests that well-designed political institutions are crucial to fostering civic spirit because they provide enabling conditions -- a political opportunity structure -- that could become an incentive to civil actors to emerge and a target of influence for them once they do.²⁸ The path not taken in the theoretical chapter of this book was nonetheless made available.

The recent work on civil society in the United States is all the more disappointing in this regard. Far from broadening the analytical framework, the new research is guided exclusively by the methods and categories of that final chapter. "Civil society" is cast in very narrow terms. As I already indicated, it is the link of the reductionist conception of civil society to the discourse of civic decline that makes this approach ambiguous, and so prone to ideological misuse.

III. American Civic and Moral Decline?

In a series of recent articles, Putnam and his associates have argued that low electoral turnout and declining membership in political parties in the U.S. are part of a much wider phenomenon: the gradual disappearance of American "social capital."²⁹

Given the alleged centrality of social capital to civic engagement and effective, democratic government, its erosion is presented as a serious cause for alarm.

The startling discovery of "social decapitalization" emerged out of the application of the method and concepts of Putnam's work on Italian civic culture to the American context. Accordingly, the presence of secondary associations, deemed the most reliable empirical indicator of social capital, is *the* independent variable used to test the vitality of American civil society. And the research does indeed show a drastic decline of membership in such associations, beginning in the second half of the twentieth century.³⁰

These findings would not be so alarming if functional equivalents for the old groups were emerging. But according to the research, they have not. "Counter-trends" such as the emergence of new mass-membership organizations like the National Organization for Women, and the explosion of interest groups represented in Washington such as the American Association of Retired Persons, are only apparent, for these groups are really "tertiary," "mailing-list" organizations rather than "secondary" associations. The latter are characterized by face-to-face interactions and direct horizontal interpersonal ties of people who actually meet one another, whereas the former involve abstract impersonal ties of people to common symbols, texts, leaders, and ideals and not to one another.³¹ According to the theory of social capital, associational membership should increase social trust. But apparently membership in tertiary groups does not yield the kind of social connectedness that generates social capital.

Compared to the civic generation born between 1910 and 1940, the postwar baby boom generation that matured in the '60s and all those that followed are disturbingly "post-civic." Indeed, the phenomenon of decline is generational, all other factors having been controlled for.³² What caused this decline, if we assume that it is real?

Putnam says that the decline was caused by the arrival of TV, a new medium of communication that became prevalent while the '60s generation was maturing. Television viewing is the only leisure activity that inhibits participation outside the home, coming at the expense of nearly every social activity. Analyzing General Social Survey data from 1974 through 1994, and controlling for factors such as education, age, and income, Putnam found that TV viewing is negatively correlated to social trust, group membership and voting turnout.³³ People who watch too much TV are no longer neighborly; they don't socialize, join clubs, or form the sorts of secondary associations that would foster civic orientations. TV, in short, has privatizing and stultifying effects. Apparently the culture industry is finally having the effect so feared by its critics: the transformation of American civil society into a mass society.³⁴

I do not find this account persuasive. First, other analysts show that not all the data on civicness point to decline. In a recent major study, Sidney Verba and his colleagues do not find that the falloff in voter turnout is part of a general erosion in voluntary activity or political participation.³⁵ They have reported increases in certain forms of civic activism such as membership in community problem-solving organizations. Some older types of associational membership and activities have even been expanding, both numerically and qualitatively. Moreover, different loci and sorts

of social activity may serve purposes similar to those of traditional forms of secondary association.³⁶ Putnam's research screens out such innovations in social connectedness.

Equally important is the phenomenon of "shifting involvements" noted many years ago by Albert O. Hirschman.³⁷ The political engagement of contemporary citizens is episodic and increasingly issue-oriented. Membership in political parties, labor unions, and traditional voluntary associations may have declined, but the willingness of Americans to mobilize periodically on local and national levels around concerns that affect them cannot be deduced from this fact. The new action repertoires invented by civic and political actors cannot be assessed adequately by criteria derived from older forms.³⁸

Indeed, to discount the new types of association, mobilization and public engagement of the '60s and '70s simply because they differ from traditional secondary associations makes little sense. These allegedly uncivic generations, and their successors, created the first consumers' movement since the 1930s, the first environmental movement since the turn of the century, public health movements, grassroots activism and community organizing, the most important feminist movement since the pre-WWI period, the civil rights movement, and innumerable transnational NGOs and civic movements, all of which have led to unprecedented advances in rights and social justice.³⁹

This highly civic activism is not the product of disassociated individuals mobilized by direct mailings or glib leaders. It draws instead on myriad small-scale groups different in kind from Putnam's preferred intermediary organizations but most

certainly involving face-to-face interpersonal interaction and oppositional public spheres, as well as more generalized forms of communication. In other words, the forms of association out of which mass mobilizations emerge nowadays might not involve organizations with official membership lists, but they can and often do involve discussion groups, consciousness-raising groups, self-help groups and the like that are continuously cropping up and disappearing but surely are signs of the ability to connect and act in concert. Moreover, top-down and bottom-up forms of political mobilization are not incompatible.⁴⁰

Why is all of this dismissed or ignored? If one starts from the assumption that only a certain form of secondary association is the source of "social capital," then obviously if it wanes, the conclusion of overall decline is unavoidable -- it is an artifact of the method. But one cannot measure the vitality of civil society by comparing only one indicator (statistics on membership in secondary associations) over time. The normative structure and identity of society have different manifestations in different contexts and epochs. The real question is why certain forms of civic activity appear when they do. Surely the "political opportunity structure" afforded by the state and "political society," legal developments, the level and type of organization of economic life, along with the nature of other dimensions of civil society, would have to be analyzed, including, to be sure, the form and impact of the mass media, in order to arrive at an answer.⁴¹

If one does not screen out "functional equivalents" for traditional forms of voluntary association at the outset, then the relationship of new media of

communication to new forms of collective action and engagement could be analyzed along with their (alleged) potential to undermine old ones.

Indeed, if the analyst had the normative concept of the public sphere at his disposal, the "two-sidedness" of all mass media would be apparent. Generalized forms of communication, from the printed word to radio, television, and now cyberspace, do not necessarily displace or degrade interpersonal communication.⁴² Nor do they perforce "privatize" or block civic engagement. They could even foster it by enabling the extension of communications and networks beyond local contexts.⁴³ The media of communication are, along with law, an important mechanism by which the "particular" and the "universal," the local, the national and international (meanings, norms and issues) are interrelated. Even media that have little claim to be interactive, such as TV, might foster discussion about the content of what is broadcast, despite the fact that reception may initially be private. Interactive media can of course do more. In short, there is no zero-sum relation between deliberation and mass media, between direct face-to-face discussion and indirect communication. Moreover, generalized media of communication are themselves institutions subject to the norms of the public sphere and hence are open to critique if access to them or their functioning violates these norms. Let me return once more to this concept to clarify what is at stake here.

IV. The Missing Public Sphere

A. The Normative Model

The normative understanding of the civil public sphere as analyzed by Habermas refers to a juridically private (non-state) "space" where individuals without official status can communicate and attempt to persuade one another through argumentation and criticism about matters of general concern.⁴⁴ Ideally, participation in discussion is universally accessible, inclusive, and freed from deformations due to wealth, power, or social status. Argumentation and critique involve the principles of individual autonomy, parity of discussants, and the free and open problematization of any issue that is of common concern, including the procedural principles guiding discussion. As already indicated, public discussion also has the important political purpose of controlling and influencing the formation of policy in the juridically public institutions of the state.

The historically new type of civil public analyzed by Habermas is "liberal" in that sets of rights necessary to secure the autonomy of civil communication (freedoms of speech, press, assembly, association, and communication) together with those dimensions of individual autonomy it presupposes ("privacy rights") constitute the public and private domains of modern civil society and serve as limits to state power. Legally distinct from the state, this sphere and its members have a critical argumentative relation to the polity rather than a directly participatory one.

From the point of view of democratic theory, the public sphere provides the only possible setting in which all concerned can participate in the discussion of

contested norms and policies. Collective will-formation occurs through the medium of unconstrained communication, with the civil public itself becoming the critical authority vis-à-vis the genesis of power and the legitimacy of norms. But it is also the level, as already indicated, where public opinion can form and attempt to influence policy-formation by thematizing and debating issues of general concern. The civil public is thus "democratic" insofar as the representative political public sphere (the legislature) is supposed to be open to the influence of civil society – the issues, debates and opinions contested and developed in the latter ought in principle to be among those that are taken up by the former. The modern state administrative apparatus is to be checked, supervised and responsive to and controlled not only by the rule of law but also by a public sphere that penetrates the state in the form of legislatures. The civil, politically oriented public, rooted in the communication processes of civil society, presumably has a communicative connection to the legislatures and thereby serves as the most important mediation between the citizenry and its elected officials in a constitutional democracy. This communicative influence, along with the sanction of the vote, keeps political elites responsive and, as it were, representative.

It should be clear from the above that conceptual analysis of representative constitutional democracies implies a distinction between civil and political publics. The former are "weak" yet relatively unconstrained publics in which deliberation and expression predominate over the chance or pressures to "decide." Civil publics exercise influence and symbolic power. The latter are "strong" publics: involving not only deliberation but also decisions backed up by state sanctions. Although decision-

making in political publics (legislatures) takes place also through compromise and voting, deliberation (attempts to persuade the interlocutor through argument) presumably plays a central role in the democratic process of arguing for and justifying policies and laws. Needless to say, most publics can be placed on a continuum between weak and strong, discursive and decisional.

B. Criticisms of the Normative Model

Four lines of criticism have been directed at this normative understanding of public space. First it has been argued that the concept of the *liberal* public which emphasizes rational speech, deliberation and argument, along with the separation of public and private, is naive vis-à-vis mechanisms of persuasion. Even worse, it entails exclusion, hierarchy and inequality.⁴⁵ Second, liberal democratic parliaments do not now, and never did, even minimally satisfy the conditions of rational deliberation and persuasion through argument. Instead they are dominated by party discipline and/or back-room negotiation and interest compromises that reduce public deliberation to mere show.⁴⁶ Third, state intervention into all spheres of society and neo-corporatist arrangements have allegedly obliterated the autonomous space between state and civil society so that instead of indirectly controlling the political public sphere, civil publics have disappeared.⁴⁷ Fourth, the massification, commodification and industrialization of culture, especially evident in the new electronic media, have transformed social communication, making individual responses passive, privatized, and susceptible to manipulation through advertising and propaganda techniques.⁴⁸

Thus the space for a critical, autonomous and influential civil public sphere is also destroyed from within.

Although only the last argument can be found in Putnam's work, perhaps all of these concerns led him to omit the concept of the civil public from his analysis of civil society. Perhaps. But this would make sense only if the criticisms were fully persuasive, and in my view, they are not. Moreover, without the concept of public space, civil society talk cannot link up with democratic theory. Let me address these criticisms, focusing primarily on the first and the last, in order to clarify my argument.

1. The fact that exclusion from the public sphere has operated through differences in class, gender, ethnicity, race, etc., does not alter the normative core of the concept. Democratic legitimacy and the ideal of the public sphere as the central context of participation is tied up with the potential for inclusion. Thus legal guarantees and mechanisms facilitating equality of access such as public education, affirmative action, provisions for child care, policies supporting and destigmatizing alternative cultural forms of expression, civil, political and social rights, etc., become all the more necessary in light of the critique of exclusion and of particularistic standards for inclusion.

The claim that the ideal of rational argument constitutively favors a particular gender, class, or race while silencing and privatizing others is also unconvincing and even condescending. Certainly if dominant groups enshrine a particular form of discourse, style of argumentation, understanding of what is appropriate rhetoric or

body language in public speech, they can indeed silence people who are not de jure excluded, yet who differ from those who have previously had privileged access to the public sphere. But this would clearly be a deformation of the normative principles of public discourse rather than their expression. Moreover, these principles are presupposed and invoked when particularistic standards for inclusion are challenged, and even when struggles for cultural hegemony are engaged in.

To be sure, one must take into account the performative dimensions of speaking -- the rhetorical, dramaturgical, expressive and gestural aspects -- and their role in persuasion. One must also acknowledge the group-specific distribution of styles of communication and inequalities that attach to these. But to do so would eliminate neither the normative ideal of the civil public nor the importance of rational-critical debate in those parts of it that involve politically oriented discussion.

Instead, acknowledgment of the above should lead to the following conclusion: the issue of access/exclusion can be defused if one abandons a unitary conception of the public sphere in favor of a pluralistic model. In other words, the principles of publicity in a modern society imply the pluralization of public fora in the sense of cultural, civil and political publics. The weight of the various aspects of speech can vary accordingly. Once one grasps that there is an elective affinity between the principle of publicity, a multiplicity of public spaces and a plurality of types of publics, one can parry the charge of constitutive exclusiveness.

Two types of pluralization are involved here: functional and segmental. Functionally distinct publics are necessarily specialized. The publics of science, art,

religion, the academic disciplines, politics, law, etc., are examples. Each such public is structured by the norms of the respective enterprise. The style of communication, standards regarding what counts as a good argument and so on, vary accordingly.

Segmental pluralization has a different logic. This refers, first, to the multiplicity of publics that develop in the milieu of voluntary associations, social movements, clubs, etc., which are not functionally differentiated yet are limited in purpose and scope. There can be as many such civil publics as there are groups that generate issues of common concern to their members. Their style of communication can also vary enormously. But there is another mode of publicness that is relevant here. I have in mind the non-specialized, civil, "public of publics" that allows for the communicative interaction of members of different functional spheres or social groups. It is crucial to see that alongside the myriad publics of a differentiated and pluralist society there are general civil publics – society-wide forums of public communication which, though incapable of decisional power, can influence political publics specialized in decision-making as well as the more specialized civil publics.

It is possible to theorize the porousness of partial and general publics vis-à-vis one another in two ways. If one draws on the insights of network analysis, it is possible to see publics not only as enclaved within associations or specific milieux, but also as interstitial: as sets of communicative interactions that ease transitions between specific domains by decoupling actors from the pattern of particular relations and understandings embedded within any given network.⁴⁹ As such they serve crucial bridging functions between distinct network realms.⁵⁰

One can also draw on the concept of a more abstract, general public sphere of readers, listeners, viewers, and now cyber-communicators scattered around the national (and international) society to articulate what it is that brings together the participants in partial publics and constitutes them as more generalized fora: i.e. the mass media. These publics enable socially distant interlocutors to come into contact impersonally, to formulate collective orientations, and to form alliances in the effort to exercise political influence. They also allow members of partial publics to understand themselves as part of a larger public and as contributing to "public opinion" in general.

I'll return to the relation of the mass media to general society-wide publics of publics in my response to the fourth objection. My point here is to show that when interpreted in terms of multiplicity and plurality, the concept of the public sphere need not be associated with exclusion or silencing. Rather, it is the "site" where power asymmetries between partial publics get thematized and challenged. But one must not forget that new media of communication also become sites for new forms of inequality, exclusion and contestation. Struggles over access to them, and to control the production and dissemination of communications that they facilitate, indicate that the relation between technologies of communication, publicity, and participation is complex and worth serious attention. In short, every new form of exclusion and control linked to new media triggers struggles for inclusion, hegemony and democratization.

2. and 3. The second and third objections to the normative conception of public space can be dealt with together. The claim that decisions in legislatures are made through bargaining and voting is convincing only if one does not conclude that deliberation and the imperative to give reasons before one's legislative peers and to the civil/electoral public is thereby irrelevant. For even if the norms of argumentation do not inform the actual motives of participants who may be simply self-interested or acting strategically, they nonetheless have a steering effect on the course of debates. Legislators are forced or induced to argue in terms of the public interest and to justify their policy choices in terms that others can accept. This has important effects on what can be said and done. Jon Elster has referred to this fact as the "civilizing force of hypocrisy."⁵¹

State interventionism and corporatist trends are undeniable. Certainly the control function of civil publics loses its meaning in relation to bureaucratic and corporatist processes that are closed to scrutiny and do not involve deliberation. Nevertheless, the norms of publicity create legitimation problems for both state interventionism and corporatist interest representation.

Unlike the apparently spontaneous results of the market, state action calls for explicit justification. While neo-corporatist arrangements reduce some of the demands on the state, they trigger challenges by all those excluded from such arrangements. Demands for the democratization and publicization of bargaining processes and for the justification of outcomes in terms of the public good proliferate precisely where neo-corporatism is the strongest.

Even the return to neo-liberal economic policies and the displacement of state and corporatist action onto the voluntary sector of civil society does not reduce the increasing social scrutiny of the arrangements, decisional processes, and apparent self-limitation of states. Instead the effects of state action and inaction, of institutional design and redesign, on civil society become thematized and subject to legitimation demands according to the criteria of the public sphere. Indeed, this is what the civil society debate is all about.

4. I have already indicated that to focus, as Putnam does, only on aspects of the media that privatize and trivialize is misleading. So is the thesis that the amount of time spent with such media is both a sign and a cause of the erosion of social capital. Such an assessment revives the old saw that the quality of culture and of public communication declines with its "democratization" i.e. "massification" -- a claim raised every time a new technology further extended communications to the "masses."

Nevertheless, it is worth taking a closer look at the arguments regarding what Frankfurt theorists once called "the culture industry" in order to see what is really at stake here for democratic theory.⁵² The main claim is that democratization of culture and communication, through new technologies like TV, is allegedly pseudo-democratization of something that is no longer either culture or real communication. When Putnam complains about the privatizing effects of the media, what is implied is that the public sphere is deformed and the critical and civic orientations of citizens undermined. Accordingly, the reasoning civil public splits into a minority of experts and a mass of consumers. As Adorno and Horkheimer already maintained, in such a

context, political communication approximates advertising. Propaganda – the advertising and selling of political leaders and policies – presupposes, and is required by, already passive, privatized audiences. Under these circumstances, what is called "public opinion" is no longer of any normative weight. Instead of being the product of a public debate among peers, it is simply a statistical aggregate of singly solicited and privately expressed individual opinions, typical of survey results.

This is a serious argument that would have disastrous results for democratic theory and civil society if it were fully compelling. For even if the existence of a public sphere outside the legislature could be shown to exist (my reply to arguments 2 and 3), liberal and democratic claims regarding political publicity would be undermined if the mass media eliminated the reasoning critical public. Neither the increased range of the media nor the multiplication of chances to have access to them would make any difference if, due to structural factors, they undermined critical reasoning. If, in other words, one could sell a candidate to the voters on the basis of advertising techniques, irrespective of the positions she or her party argue for in the legislature, it would be meaningless to claim that legislative debates have a rational function or that the civil public has a control function. There would be no possibility for the self-enlightenment of the public through the general airing of views in the media if issues and concerns were prepackaged on the basis of extrinsic considerations such as the maximization of profit or the power of political entrepreneurs.

If one does not assume that technologies of the mass media are intrinsically privatizing, then there are two ways that such media can undermine critical reasoning

publics: through direct state control and censorship or through the commodification and industrialization of cultural life. State control and censorship of societal communication always involves a negative sanction and is linked to fear. Yet the ability of the state to streamline society and culture is limited: only by terroristic means and the clear abandonment of liberal democratic principles can competitive cultural forms be eliminated.

Commodification of cultural life and the "industrial" production of culture operate through the positive sanction of profit. On the one hand, it implies competition and the possibility that genuine creators and real debates and not only cultural or political hacks could be rewarded by market success. But it is also true that the big media entrepreneurs pre-structure the markets and vastly reduce competition. Nonetheless, the industrial producers of culture never have the field fully to themselves, as thriving countercultures show. Indeed, the penetration of competing messages through the appropriation of autonomous and popular culture indicates the existence and influence of public opinion even on the supreme expression of the culture industry: TV. And yet creativity does seem to occur at the margins. Conflicting imperatives of journalistic ethics and network interests, the difficulty of integrating competing political, economic and aesthetic interests in broadcast networks, the hostile response of everyday communication to attempts at direct manipulation and to the degradation of programming (e.g., excessive violence), and the development of alternative media technologies all indicate the existence of counter-trends. Thus it is important to note both the homogenizing and privatizing

logic of commercialized and industrialized mass media as well as important counter-tendencies.⁵³

Much depends here on the institutional supports and strategies behind the countervailing tendencies. But these in turn depend on which normative model of the media one operates with when one devises such strategies. Empirical studies should be guided by a normative pre-understanding of how the media and civil public should interrelate. It is this dimension that is missing from Putnam's analysis.⁵⁴ Without it, one cannot begin to address the questions of which laws should govern mass communication, what principles ought to orient the professional code of journalism, what is the best mix of commercial (private), public (nonprofit, non-governmental) and state-run media; or what methods of funding can best foster the political and economic independence of cultural institutions along with their openness to the variety of interests, associations, and cultural orientations of civil society. In short, the political questions crucial to a democratic theory of civil society cannot be raised. Absent a normative conception of publicity, one tends to screen out the two-sided potential of all media, to assume a sort of technological determinism regarding allegedly intrinsic effects of the media, and then to translate questions of institutional design, institutional ethics, and appropriate public policy into laments about moral decline and incantations about voluntarism.

V. Conclusion

I do not doubt that the old sorts of associations that fostered civiness for certain segments of the population are disappearing. Nor do I want to claim that functional equivalents are flourishing and that there is nothing to think about. Assuredly some social, economic, and structural changes have undermined the traditional shape of civil society and rendered some of the old avenues of participation and influence obsolete. We may well be in a political context now in which *institutional redesign* of various aspects of the political (and economic) system is necessary to strengthen new sorts of civil sociality. It is not necessary to choose between an institutionalist and an associationalist path to the creation of social trust. These can be mutually interdependent and reinforcing. But where to look and what is to be done will only be obscured by backward-looking analyses focused on reviving old forms of association that may no longer be appropriate.

An approach that omits law, rights, and the public sphere from the conceptualization of civil society has no conceptual means to counter the thesis that legalization itself -- in particular, the expansion of personal rights, entitlements, and public freedoms -- actually causes the disintegration of civil society and civic capacities.⁵⁵ The step from here to the moralizing values discourse of social conservatives is not a large one. But it takes us further and further away from the real issues that a civil society discourse can and should raise.

I have argued in this paper that a narrow conception of civil society obscures and miscasts important problems, not that these problems do not exist. There is no

question that the welfare-state paradigm, corresponding forms of legalization, and established modes of civic engagement, political participation, and social integration are all in crisis today. But the dichotomous thinking that counterposes civil society to the state, duties to rights, custom to code, informal to formal socialization (as the source of trust), and status to contract leads to an overhasty conclusion of social decapitalization and a set of false policy choices.

If we had a richer concept of civil society at our disposal, the discovery of the erosion of one type of civic institution would not have to lead to a claim of general civic decline. Given a different method, functional equivalents for older forms of associationalism could become visible, along with new types of civic action targeting an altered environment of civil, economic and political institutions. The question of whether the political public spheres, including the party and electoral systems, are sufficiently receptive to new forms of civil engagement of citizens aimed at influencing them could then be addressed. This in turn could point to consideration of the role of government in encouraging or blocking civic participation and renewal.⁵⁶ Crucial questions regarding how the state, law, and professions should pre-structure the terrain such that the autonomy of civil society, the vitality of civil publics, and civicness are strengthened could be raised. Attention could turn to the institutional structure of the state and its impact on and receptivity to organizational initiatives and public expression in civil society. This concern should be at the center of democratic theory.

Such considerations do not replace a societalist analysis with a state-oriented one. Rather, if we had a rich conception of civil society that included the civil public sphere, we could fruitfully consider the reciprocal lines of influence between it, the state, and the economy. This perspective could point us to an important range of questions begging for serious research. For example, what is an optimal relation (or division of labor) among the state, civil society and the market under contemporary conditions? What institutional reforms or redesigns are necessary to accomplish the material goals of the welfare state without destroying incentives for individual and group initiative or responsibility? How would the principle of subsidiarity apply when issues of efficiency, democratic values, social justice and social autonomy are raised? What type of federalism can encourage democratic participation and citizen initiative without feeding into parochialism and local intolerance?

What legal paradigm could guarantee the basic rights of civil society without sacrificing public to private autonomy? What conception of constitutionalism could protect the plurality of forms of life within civil society from intolerant majorities without privatizing or reifying "difference"? Are there ways to institutionalize civil publics so as to protect professional ethics in a wide arena (from medicine to journalism) from the corrupting influence of money? Indeed, how can the media of communication, which are crucial to the generalization of norms of reciprocity, be more receptive to civil input without allowing the power of money to control the agenda of debate and to silence others? How, in short, does the unequal distribution of income affect civiness? And last, what effect do structural factors such as the flight

of real capital and the ever more prominent role of money in politics have on the vitality of civil and political institutions? The problems plaguing American civic culture at the end of the twentieth century are not due to lack of consensus about the ideals of our political system or some general moral decline. Rather they are attributable to the sense that our country is run by a political-economic elite, whose special interests (greed and power) block needed institutional reforms and exercise a negative corrupting influence on the institutional and professional ethics that are indispensable to a well-functioning democracy. To address these questions we must drop the rhetoric of moral and civic decline.

NOTES

1. See Jean L. Cohen and Andrew Arato, *Civil Society and Political Theory* (Cambridge: MIT Press, 1992). For an analysis of the international discussion, see Cohen and Arato, pp. 1-26.
2. Senator Dan Coats, "Re-funding Our 'Little Platoons,'" *Policy Review: A Journal of American Citizenship* 75 (Jan/Feb.1996) p. 25; Bill Bradley, "America's Challenge: Revitalizing our National Community," *National Civil Review* 84:2 (Spring, 1995), p. 94; and see the references in Theda Skocpol, "Unraveling from Above," *The American Prospect* 25 (Mar/April 1996), pp. 20-21 for more references.
3. Gabriel Almond and Sidney Verba, *The Civic Culture: Political Attitudes and Democracy in Five Nations* (1963) is the most important example of the pluralist approach to civil society in the postwar period.
4. Robert Putnam, *Making Democracy Work* (Princeton: Princeton University Press, 1993); Robert Putnam, "Bowling Alone," *The American Prospect* 6:1 (1995); Robert Putnam, "Bowling Alone Revisited," *The Responsive Community* 5:2 (1995); Robert Putnam, "The Strange Disappearance of Civic America," *The American Prospect* 24 (1996). The other important intervention in this debate is that of communitarian political theorists who gather around the journal *The Responsive Community: Rights and Responsibilities*. The main figures of the neo-communitarian movement are Amitai Etzioni, a professor of sociology at George Washington University; William Galston, a political philosopher and professor at the University of Maryland, and until recently a domestic policy advisor to President Clinton; Mary Ann Glendon, a Harvard law professor; and Michael Sandel, a Harvard professor of political science. Their journal, edited by Etzioni, sees itself as the voice of a new movement for communitarian values.
5. Cohen and Arato, p. 346.
6. Antonio Gramsci, "State and Civil Society," in *Selections from Prison Notebooks* (International Publishers, 1971) pp. 206-277. See also Perry Anderson, "The Antinomies of Antonio Gramsci," *New Left Review*, no.100, Nov-January, 1977, pp. 5-78; and Jean L. Cohen and Andrew Arato, *Civil Society and Political Theory*, pp. 142-159.
7. Alain Touraine, *The Voice and The Eye* (New York: Cambridge University Press, 1981); Alberto Melucci. "The Symbolic Challenge of Contemporary Movements" *Social Research* 52:4 (1985), pp. 798-816; "The New Social Movements: A Theoretical Approach." *Social Science Information* 19(1980). See also, Jean L. Cohen and A. Arato, *Civil Society and Political Theory*, pp. 492-564.

8. Jurgen Habermas, *The Structural Transformation of the Public Sphere* (Cambridge: MIT Press, 1989); Cohen and Arato, 1992. See also Craig Calhoun, ed., *Habermas and the Public Sphere* (Cambridge: MIT Press, 1992).

9. On "weak" and "strong," see Nancy Fraser, "Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy" in Craig Calhoun, ed., *Habermas and the Public Sphere* (MIT Press, 1992). A consciousness-raising group in a feminist movement that publishes a feminist journal is an example of a weak uninstitutionalized civil public. A jury is an example of an institutionalized civil public that is "strong" in the sense that its deliberations lead to politically binding decisions. A parliament is a strong institutionalized political public. A parliament that debates but does not decide, e.g., Schmitt, is a weak institutionalized . . . There are a range of intermediate possibilities along the spectrum of civil/political; strong and weak are possible.

10. There are of course differentiated and institutionalized civil and political publics, weak and strong. But this way of conceptualizing the public sphere precludes granting legitimacy to any group or institution claiming to embody or represent the public, endowed with the authority to define what is a matter of public concern. Moreover, the line between public and private, along with the question of who is to be included in the public, cannot be decided once and for all.

11. The hegemonic approach of popular communitarian and . . . also more and more Putnam.

12. Putnam, *Making Democracy Work*, pp. 173-175. Putnam knows that all networks and associations mix the horizontal and the vertical but insists nonetheless that the basic contrast between horizontal and vertical linkages, between web-like and maypole-like networks, is reasonably clear. But isn't it possible for people to belong to both sorts of organizations? Does Putnam insist on full congruence between civil and political institutions? For a critique of this idea see Nancy Rosenblum, "Democratic Character and Community: The Logic of Congruence?" *The Journal of Political Philosophy* 2:1 (1994), pp. 67-97.

13. Putnam, *Making Democracy Work*, pp. 128, 147 I use the word *confidence* advisedly. What is at stake is analytically distinct from interpersonal trust, i.e., the trust of concrete individuals. Confidence that the administration of justice will be impartial, or that the legislative process is fair, responsive, and representative, rests on the shared understanding that the principles of impartiality, fairness, equal concern and respect, etc., have been institutionalized as norms and that these are internalized by the institutional actors as well as those subject to these institutions. It is thus possible to lose trust in a particular lawmaker or judge without the loss of confidence in the legal system or the legislative process as a whole. Their legitimacy rests on the belief that generally they function in a manner appropriate to their institutionalized norms.

14. Ibid., pp. 165-166; Putnam, "Bowling Alone," p. 67.

15. Ibid., pp. 167,176-77,182.
16. Noted by Margaret Levi, "Social and Unsocial Capital: A Review Essay of Robert Putnam's *Making Democracy Work*," in *Politics and Society* 24:1 (1996), p. 47. Putnam, *ibid.*, pp. 171-174.
17. Portes and Landolt (1996) have stressed the circularity of the argument, while Tarrow (1996) points to the confusion of the indicators with causes of civiness. Levi (1996) has noted the sloppiness of the definitions, which make it almost impossible to differentiate between social capital, interpersonal trust, and generalized reciprocity, as well as the absence of a definition of trust in Putnam's work. Skocpol (1996) notes the one-sidedness of the society-centered analysis to the neglect of other important actors, most notably government, and factors such as the structure and nature of the state. Although I agree with these criticisms, we must beware of overcorrecting here. The society-centered analysis is itself a corrective to one-sided, state-centered approaches. What we need is a model broad enough to capture both dimensions.
18. Ibid., p.177.
19. Ibid., fn. 30, p. 221.
20. See Rosenblum, *op. cit.*
21. See Albert O. Hirschman, *Exit, Voice, and Loyalty: Responses to Decline in Firms, Organizations, and States* (Cambridge: Harvard University Press, 1981, c1970), for the concept of Voice.
22. See Jurgen Habermas, *The Theory of Communicative Action* 2 (1981), pp. 113-199, on this point.
23. James Coleman, *Foundations of Social Theory* (Cambridge: Harvard University Press, 1990), pp. 251, 273, shows that under the assumption of rational action, norms *can* arise, but he gives no argument about the emergence of norms in general. Nor does he address the deeper issue of how values (standards used to evaluate evaluative standards) emerge. I don't believe this can be answered within a rational choice framework. Putnam's work suffers from the same deficiency.
24. On the concept of warranted trust, see Mark Warren, "What Should We Expect From More Democracy? Radically Democratic Responses to Politics," *Political Theory* 24:2 (1996), pp. 241-270.
25. "Civil society" was understood as a sphere of social interaction distinct from the economy and state, characterized by voluntary association, civil publics and the media of communication (at that time, print), and sets of subjective legal rights. The rule of law and the autonomous administration of justice were central to civil society because although the latter creates itself spontaneously, it cannot on its own institutionalize or generalize its

norms and orientations ("habits of the heart"). A legal system and a legal culture committing practitioners to the norms of impartiality are crucial to the process by which the particularistic goals and projects of associated individuals within civil society could be informed by, made compatible with, or generalized into the universalistic principles of modern constitutional democracies.

26. As Claus Offe, "Trust and Knowledge, Rules and Decisions: Exploring a Difficult Conceptual Terrain" (Paper delivered at "Democracy and Trust" conference at George Washington University, Nov. 7-9, 1966: p. 23), has recently put it in a brilliant analytical paper on trust, democratic citizens build "generalized" trust on the basis of what they know about institutions and their ability to orient action, not on the basis of what they know about political elites (whom they in fact do not know).

27. For an excellent discussion linking network analysis and the idea of interstitial links to the concept of the public sphere, see Mustafa Emirbayer and Mimi Sheller, "Publics In History: A Programmatic Statement." Unpublished ms filed with the author.

28. Urbanati, Nadia, "The Art of Tolerance," *Dissent* (1993), p. 573.

29. Robert Putnam, "Bowling Alone," "Bowling Alone Revisited," "The Strange Disappearance of Civic America" (see note 4).

30. Putnam, "Strange Disappearance," pp. 35-36, indicates an erosion of roughly 25-50 percent of membership over the last three decades. See also Putnam, "Bowling Alone," pp. 67-70.

31. Ibid., 1996, p. 35; "Bowling Alone Revisited," p. 71.

32. Ibid., "Strange Disappearance," pp. 35-43.

33. Ibid., pp. 46-48.

34. It is bizarre to present the adult generation in the 1950s as the paragon of civicness or the 1950s and early '60s as an era of the generalized social trust that makes democracy work. This period was the heyday of McCarthyism (hardly noteworthy for generalized trust), institutionalized racial segregation, exclusion of women from a wide range of economic and political institutions and associations (hardly a model of cross-cutting plurality), a pervasive ideological (and economic) movement to push women out of the labor force and into the housewife role with all its attendant "volunteerism" (something that did not exactly foster egalitarian gender norms or undermine familism).

Civil privatism and authoritarian cultural and social conservatism would seem a more apt characterization of that period than civic virtue. Indeed, if voluntary association was alive and well in the 50s, this is proof that it does not suffice to render a political culture civic, to generate generalized trust or active egalitarian participation in public life. Moreover, I suspect that economic expansion and the impact of the New Deal had a good

deal more to do with the effectiveness of government than the vitality of the Elks Club.

Or one could say that if trust were widespread under such circumstances, perhaps it was unwarranted and naive based on the attitude, "my country right or wrong" as opposed to a mature civil patriotism. See Alan Wolfe, "Americans' Civic and Moral Beliefs," *The National Commission on Civic Renewal Newsletter*, vol. 1, no.1, Spring 1997, p. 2.

35. Henry E. Brady, Kay L. Schlozman, and Sidney Verba, *Voice and Equality: Civic Voluntarism in American Politics* (Cambridge: Harvard University Press, 1995), pp. 68-91.

36. Michael Schudson, "What If Civil Life Didn't Die?" *The American Prospect* 6:1 (1996), pp. 17-18.

37. Albert O. Hirschman, *Shifting Involvements: Private Interest and Public Action* (Princeton: Princeton University Press, 1982).

38. Sidney Tarrow, *Power in Movement: Social Movements, Collective Action and Politics* (New York: Cambridge University Press, 1994) and others have argued that social movements can produce lasting effects on political culture by legitimating new forms of collective action and by establishing a permanent place for issues on the public agenda that remain alive even in a general context of demobilization. See also Jean L. Cohen, "Strategy or Identity: New Theoretical Paradigms and Contemporary Social Movements," *Social Research*, 52:4 (1985), pp. 663-716. For an interesting albeit controversial recent discussion of the relation between movements and state forms, see John Dryzek, "Political Inclusion and the Dynamics of Democratization," *American Political Science Review*, Sept. 1996, pp. 475-488.

39. Schudson, *ibid.*, p. 20.

40. Nor are direct and more mediated forms of communication. Ties to common leaders, texts, symbols and ideals can inform and foster horizontal styles of association and interpersonal interaction by providing points of reference for discussion and for mobilization when the time comes. Skocpol, p. 25, points to the Christian Coalition as a successful example of a secondary association that melds top-down and bottom-up styles of political mobilization.

41. *Ibid.*, p. 23.

42. Pippa Norris, "Does Television Erode Social Capital? A Reply to Putnam," *Political Science and Politics* 129:3 (1996), pp. 476-479, convincingly shows that the data do not permit one to claim that civic and political disengagement vary unambiguously and positively with the sheer amount of TV that one watches. What matters more is the content of what one watches. Given the diversity of channels, programs and choices, from *Nightline*, *60 Minutes*, *CNN World News*, *NPR*, *Meet The Press* and *C-Span* to the information available now on the Internet, it might even be the case that Americans are as a whole better informed about national and international issues than ever before.

43. Ibid., pp. 475-476. The problem of disentangling the direction of causality that plagues all cross-sectional survey analysis is not resolved regardless of how one comes down on this issue. It is not clear whether those that are already actively involved in public life turn to the news networks for more information or whether tuning into TV news or reading about public affairs encourages people to become more active in public affairs and civic life. Either way, the charge that television is the root cause of the lack of trust in American democracy is unproven and implausible.
44. Habermas, *The Structural Transformation*, pp. 1-26. Habermas developed his conception through an analysis of the forms of social intercourse and the institutional self-understanding of the bourgeois public sphere as it emerged in eighteenth-century Europe.
45. See Nancy Fraser, "Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy," and Iris Marion Young, *Justice and the Politics of Difference* (Princeton University Press, 1990), chapters 4 and 6.
46. This is originally the argument of Carl Schmitt. See Jean L. Cohen and A. Arato, *Civil Society and Political Theory*, pp. 201-254, for a summary and reply.
47. Ibid.
48. The classic example of this critique is that of the older Frankfurt School. Max Horkheimer and Theodor Adorno, *Dialectic of Enlightenment* (New York: Herder and Herder, 1972), pp. 210-167.
49. Emirbayer and Sheller, "Publics in History," p. 19, citing Harrison White, "Where Do Languages Come From? Part 1," *Pre-Print Series*, Lazarsfeld Center for the Social Sciences, Columbia University 4 (1995); and H. C. White, "Network Switchings and Bayesian Forks," *Social Research* 62 (1996), p. 1055.
50. Ibid.
51. Jon Elster speaks of the "civilizing force of hypocrisy" in "Arguing and Bargaining over the Senate at the Federal Convention," in Jack Knight and Itai Sened, eds., *Explaining Social Institutions* (Ann Arbor: University of Michigan Press, 1995).
Elster summarizes the "goods" that deliberative democracy in public spaces yield in the following list: it reveals private information, lessens or defeats the impact of bounded rationality, forces or induces a particular mode of justifying demands, legitimizes the ultimate choice, is desirable for its own sake, makes for pareto-superior decisions, makes for better decisions in terms of distributive justice, makes for a larger consensus, improves the moral or intellectual qualities of participants. p. 16, intro . . .
52. Max Horkheimer and Theodor Adorno, *Dialectic of Enlightenment*, pp. 210-167.

53. Indeed, one might note that today the autonomy and integrity of civil publics and personal communication are explicitly asserted and institutionalized as public norms, and they are better protected by law and courts than ever before. Certainly compared to the 1950s, first amendment protections for public, political, and personal expression are incomparably stronger, as are legal protections of personal autonomy rights. What is needed now is reflection on how to make these principles effective in the public sphere.

54. For an interesting effort at developing a normative analysis of the tasks the media ought to fulfill, see Jurgen Habermas, *Between Facts and Norms* (Cambridge: MIT Press, 1996), pp. 377-379.

55. This is the thesis of conservative communitarians. See Mary Ann Glendon, *Rights Talk* (Cambridge: Harvard University Press, 1991). See also Michael Sandel, *Democracy's Discontent* (Cambridge: Harvard University Press, 1996).

56. For an argument that governmental structures greatly affect civil society's capacities, see John Dryzek, "Political Inclusion and the Dynamics of Democratization," *American Political Science Review*, Sept. 1996, pp. 475-488.

43. Ibid., pp. 17-18. The book also discusses the growing and increasing of civil liberties and all cross-sectional survey and institutionalized as public norms and issue. It is not clear whether these three are really distinct or whether they are merely different expressions of the same thing. The news network is also more information about public affairs and the public sphere. Either way, the change that is occurring in the public sphere is a significant one and a necessary one for a new kind of democracy.

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